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UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF OREGON

LISA CARRIGAN, individually and JACK
D. SCHLICKING and LAUREN J.
SCHICKLING as husband and wife and
individually.

Plaintiffs Pro Se,

v.

FIRST AMERICAN TITLE INSURANCE
COMPANY, REGIONAL TRUSTEE
SERVICES CORPORATION, FIDELITY
NATIONAL TITLE INSURANCE
COMPANY, RECONTRUST COMPANY,
N.A., GN MORTGAGE LLC.,
GUARANTY BANK, F.S.B., BAC HOME
LOANS SERVICING, COUNTRYWIDE
HOME LOANS SERVICING, LP., BANK
OF AMERICA, N.A., MORTGAGE
ELECTRONIC REGISTRATION
SYSTEMS (MERSCORP); ELAINE
LOUISE HOWARD, Public Notary, d/b/a
AFFORDABLE DOCUMENT
PROCESSING; CHRISTINA
BALANDRAN; DANIEL RODRIGUEZ,
LINDA GREEN and John and Mary Does
1-10.

Defendants.

Case No.: 6:13-cv-902-TC

**DEFENDANT REGIONAL TRUSTEE
SERVICES CORPORATION'S
MOTION TO STRIKE REGIONAL TRUSTEE
SERVICES CORPORATION'S MOTION TO
DISMISS PURSUANT TO FED. R. CIV.
P.12(b)(6)**

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Motion

COMES NOW, Defendant Regional Trustee Services Corporation ("Regional"), by and through their attorneys of record Robinson Tait, P.S., and moves this court for an Order to Strike its Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6) in its entirety and without prejudice. Regional brings this motion based on its counsel's failure to comply with LR-7-1 Certification. This motion is supported by the Declaration of Nicolas Daluiso..

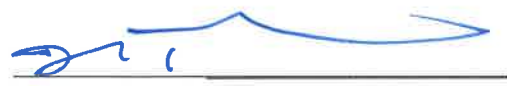
Statement of Facts

Prior to the filing of Regional's Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(6), it was Regional's counsel's mistaken belief that he sent attempted to the plaintiff's as required by LR-7-1. Plaintiff's opposition to the motion to dismiss asserted that no LR 7-1 conference was had. Upon inspection of his email records, Regional's counsel was able to verify and confirm that LR-7-1 notice was not in fact sent to the plaintiffs.

Conclusion

Based on the foregoing, and due to non-compliance with LR-7-1 Certification, counsel for Regional respectfully requests the court strike its Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6) in its entirety without prejudice.

DATED this 11th day of September, 2013


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